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NP Comment

Jesse Kline: Liberals are the threat, not the solution, to Indigenous resource prosperity

Removing control over natural resources from provinces won't change that

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Jesse Kline

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Canada's Minister of Justice and Attorney General David Lametti speaks in Parliament during question period in Ottawa on March 28. PHOTO BY PATRICK DOYLE/REUTERS

“And let me tell you, the West will not forget.”

That’s a quote from a western Canadian who, speaking to a Toronto newspaper shortly after Alberta and Saskatchewan joined Confederation in 1905, lamented that, “The people of the West will never rest until they get provincial autonomy on the same terms as the older provinces. We want control of our own timber, of our own minerals, of our own lands.” More prescient words had not been uttered since the death of Nostradamus.

At the time, the lengthy debate in Parliament over how to carve Alberta and Saskatchewan out of the North-West Territories, lest a single mega-province become too powerful, mainly centred on education rights — namely, whether schools should be church-run or secularized.

But the federal government also chose to retain control over natural resources in the newly created provinces, ensuring they had fewer rights than the original members of Confederation. This proved a

constant source of tension, especially since Ottawa was supposed to compensate them for the lost resource revenue, but ended up keeping much of the money for itself.

The issue was seemingly put to rest after the provinces negotiated natural resource transfer agreements with the federal government. Those rights were enshrined in the Constitution with the passage of the British North America Act, 1930, which was designed to place the western provinces “in a position of equality with the other provinces of Confederation with respect to the administration and control of (their) natural resources.”

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But the West never forgot.

On April 5, David Lametti, the minister of justice and attorney general, addressed the Assembly of First Nations’ special chiefs assembly in Ottawa, where two of the attending chiefs inquired about the natural resources transfer acts.

“Those resources were given to provinces without ever asking one Indian if it was OK to do that or what benefits would the First Nations expect to receive by Canada consenting to that arrangement,” said Mohawks of the Bay of Quinte Chief Donald Maracle.

“Rescind the act, the natural resources transfer act,” said Brian Hardlotte, grand chief of the Prince Albert Grand Council. “That’s what we’re asking you, minister.” To which Lametti responded by committing to “looking at that.”

A news story about the exchange ran online in a small Indigenous newspaper on April 6. A full four days later, Saskatchewan Premier Scott Moe published a statement on Twitter claiming that, “The federal Justice Minister says he will look at taking control over natural resources away from the provinces,” which constitutes a “threat to the unity of our country.”

An hour later, Alberta Premier Danielle Smith tweeted that she had “just received word that the Federal Justice Minister may attempt to rescind the 1930 Natural Resources Transfer Agreement with the prairie provinces,” and called on “the Prime Minister to immediately have his Justice Minister retract and apologize for these comments.” (The premier of Manitoba and federal Opposition leader later chimed in, as well.)

What Lametti actually said was: “I take — from Chief Brian, also from Chief Don Maracle — the point about the natural resources transfer agreement.... You’re on the record for that. I obviously can’t pronounce on that right now, but I do commit to looking at that. It won’t be uncontroversial, is the only thing I would say, with a bit of a smile.”

For anyone who has spent any length of time listening to politicians, it’s clear that statement is politeness for, “I’m not going to take any action, but of course I would never say so out loud.”

Had premiers Smith and Moe actually bothered to listen to what the minister said, they surely would have known that. It should also be apparent that rescinding the natural resource agreements would not be as simple as repealing an act of Parliament, since they are enshrined in the Constitution, a document that was made far more difficult to amend following its patriation in 1982.

Twitter, of course, is not exactly known as a forum for making reasoned arguments based on well-researched opinions. It’s a digital arena in which slightly evolved monkeys fling excrement at one another and pretend as though they’re active members of a 21st-century version of ancient Greece’s public square. I wish I could say I expect more from our elected officials, but that would be disingenuous.

The premiers’ over-the-top reactions were at least in keeping with the political personas they’ve been trying to cultivate, with both taking steps to at least appear to be defending their provinces from federal over-reach. But pretending to be fighting a federal government that would, or even could, attempt to remove the Prairie provinces’ constitutional rights does nothing to further the cause of provincial autonomy.

Nor should First Nations leaders fool themselves into thinking that repealing the natural resource agreements would put them in a better situation. The agreements explicitly state that Native reserves will continue to be administered by the federal government and the duty to consult with Indigenous peoples is now a constitutional necessity.

In fact, First Nations now have a greater ability to gain a financial interest in, and profit off of, resource developments within their territories and pipelines that run across their lands than ever before.

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Last year, 39 First Nations in Alberta and British Columbia became part owners of oil and gas pipelines. TC Energy signed agreements with 20 First Nations to build the Coastal GasLink Pipeline and has given many of them the option to purchase a stake in the line.

Indigenous workers are employed in the energy sector at nearly double the rate as the rest of the economy. Oil and gas companies have spent billions purchasing goods and services from First Nations businesses. And the federal government has collected more than \$1 billion from oil and gas agreements on behalf of Indigenous communities over the past five years.

The only things preventing First Nations from further profiting off their natural resources is opposition within their own communities, as we saw during the railway blockades of 2020, and the federal Liberals' war on fossil fuels, which has made Canada a less attractive place to invest and made it virtually impossible to develop new oil and gas or pipeline projects.

A century ago, Ottawa was all-too-happy exploiting the West's bountiful resources while ensuring the region would never become strong enough to challenge the power base in Central Canada. Today, the federal government has no qualms about ensuring those same resources benefit no one, to further its ideological climate objectives.

As was the case in 1905, the real threat to western prosperity is the centralized government in Ottawa. It would be far more useful for the governments of Alberta, Saskatchewan and Prairie First Nations to find ways to work together to assert their right to use their resources to create economic prosperity and a better future for their people.

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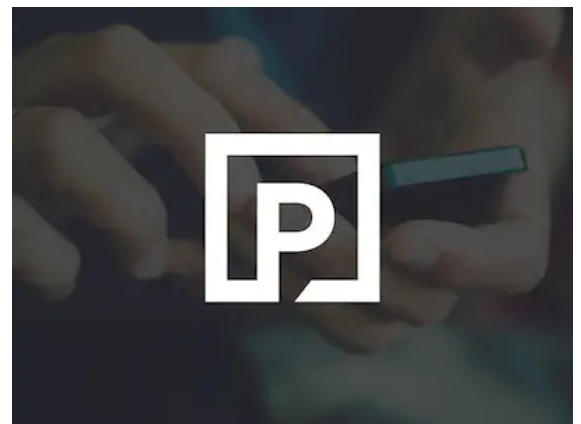
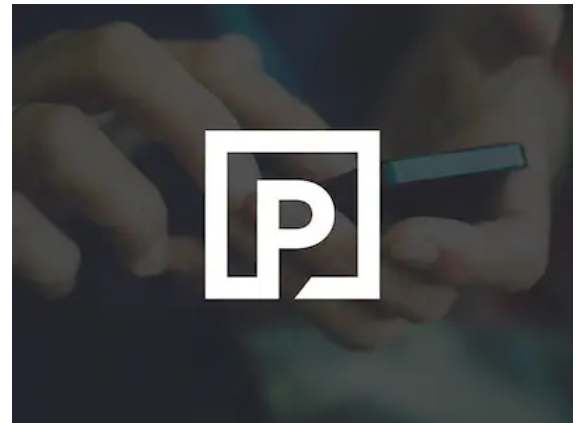
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